



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/992,084	11/19/2001	Peng Jiang	1789-09300	9640

23505 7590 06/09/2003

CONLEY ROSE, P.C.
P. O. BOX 3267
HOUSTON, TX 77253-3267

EXAMINER

LOVERING, RICHARD D

ART UNIT

PAPER NUMBER

1712

DATE MAILED: 06/09/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

SUPPLEMENTAL
Office Action Summary

Application No.

09/992,084

Applicant(s)

JIANG ET AL

Examiner

LOVERING

Group Art Unit

1712

—The MAILING DATE of this communication appears on the cover sheet beneath the correspondence address—

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, such period shall, by default, expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).

Status

SUPPLEMENTAL **MAILED**
☒ Response to communication(s) on MAY 29, 2003

☐ This action is FINAL.

☐ Since this application is in condition for allowance except for formal matters, **prosecution as to the merits is closed** in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

Disposition of Claims

- ☒ Claim(s) 10-21, 30-42 AND 44 is/are pending in the application.
Of the above claim(s) 12-15, 18 AND 19 is/are withdrawn from consideration.
- ☒ Claim(s) 30-42 is/are allowed.
- ☒ Claim(s) 10, 11, 20 AND 44 is/are rejected.
- ☒ Claim(s) 16, 17 AND 21 is/are objected to.
- ☒ Claim(s) 10-21, 30-42 AND 44 are subject to restriction or election requirement.

Application Papers

- ☐ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.
- ☐ The proposed drawing correction, filed on _____ is ☐ approved ☐ disapproved.
- ☐ The drawing(s) filed on _____ is/are objected to by the Examiner.
- ☐ The specification is objected to by the Examiner.
- ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119 (a)-(d)

- ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).
 - ☐ All ☐ Some* ☐ None of the CERTIFIED copies of the priority documents have been received.
 - ☐ received in Application No. (Series Code/Serial Number) _____.
 - ☐ received in this national stage application from the International Bureau (PCT Rule 1.7.2(a)).

*Certified copies not received: _____

Attachment(s)

- ☐ Information Disclosure Statement(s), PTO-1449, Paper No(s). _____
- ☐ Interview Summary, PTO-413
- ☐ Notice of Reference(s) Cited, PTO-892
- ☐ Notice of Informal Patent Application, PTO-152
- ☐ Notice of Draftsperson's Patent Drawing Review, PTO-948
- ☐ Other _____

Office Action Summary

Art Unit 1712

SUPPLEMENTAL TO THE OFFICE ACTION MAILED MAY 29, 2003:

1. Applicants' attorney, Mr. Russ Chorush, called to the attention of the Examiner in a telephone conversation June 5, 2003, an error in the above-mentioned Office action, which error is regretted. Claim 11 should have been included in the 102(a)/103(a) rejection over Norris et al. 6,139,626 in paragraph 5, and should not have been objected to or indicated as provisionally allowable in paragraph 6; nor should the Examiner have included claim 11 in paragraph 7 in his statement for reasons for the indication of allowable subject matter. Also, Form PTO-326 have included claim 11 among the claims rejected, and not included claim 11 among the claims objected to.

2. Accordingly, in responding to the above-mentioned Office action, supplemented by this letter, applicants should do so as if claim 11 were among the claims rejected under 102(a)/103(a), over Norris et al. above in paragraph 5, and as if claim 11 were not among the claims mentioned in paragraphs 6 and 7, and as if Form PTO-326 listed claim 11 among the claims rejected, but not among the claims objected to. (See new PTO-326 herewith.)

3. The period for response to the Office action mailed May 29, 2003, supplemented by this letter, expires three months from the mailing date of this letter.

Serial No. 09/992,084

-3-

Art Unit 1712

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Examiner Lovering whose telephone number is (703) 308-0443. The examiner can normally be reached on Mon.-Fri. from 7:30 A.M. to 4:00 P.M.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Robert Dawson, can be reached on (703) 308-2340. The fax phone number for this Group is (703) 872-9310.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 308-0661.

R. Lovering:cdc
June 9, 2003

Richard D. Lovering
RICHARD D. LOVERING
PRIMARY EXAMINER
GROUP 1200/1700